Pacific Cod Freezer Longline Fishery Alaska, USA

2008 Annual Surveillance Report As Required Under the Marine Stewardship Council Program

Prepared for: Bering Select **Prepared by:** Chet Chaffee, Ph.D., Scientific Certification Systems

Certified Fishery	Pacific Cod	Alaska
	Freezer/Longline Fishery	
Fishery Agency	National Marine Fisheries	United States
	Service	
	North Pacific Fishery	
	Management Council	
Species	Gadus macrocephalus	
MSC Registration	SCS-MFCP-F-0015	
No.		
Certification Date	8 February 2006	
Certification	8 February 2011	
Expiration Date		
Certification Body	Scientific Certification	2200 Powell St., Suite
	Systems, Inc. (SCS)	725, Emeryville, CA
		94608
Certificate Holder	Bering Select Seafood	
	Company	
Surveillance Team	Chet Chaffee, Ph.D.	Project Leader
	(SCS)	
Surveillance Stage	2nd Annual Surveillance	2008

Preface

All facts provided by Bering Select Seafoods. However, the interpretation, opinions, and assertions made in this report are the sole responsibility of Scientific Certification Systems, Inc.

Executive Summary

This is the 2nd Annual Surveillance Report (2007) prepared by SCS to meet the requirements of the MSC for annual audits of certified fisheries. It is SCS's view that the Freezer Longline portion of the Pacific Cod fishery in Alaska, US continues to meet the standards of the MSC and to comply with the 'Requirements for Continued Certification'. SCS recommends the continued use of the MSC certificate through to the next annual surveillance audit with no additional corrective action requests other than those from the original assessment.

Background

The Pacific Cod fishery in Alaska, US was originally certified on 8 February 2006 by Scientific Certification Systems, Inc. The requirements of the Marine Stewardship Council (MSC) are that each certified fishery must undergo at a minimum an annual surveillance to ensure the basis of certification is still in place and that the fishery is meeting any conditional requirements from the original certification. Should a fishery either fail the surveillance audits, the use of the certificate and the MSC logo can be revoked by the certifier.

This report represents the second annual surveillance since the fishery was certified. The issues for the certifier are whether the fishery has sufficiently acted on the required conditions set forth in the original certification report, and whether a random check on the performance of the fishery verifies continued compliance with the MSC standards.

The surveillance was conducted by Dr. Chet Chaffee of Scientific Certification Systems, Inc. Dr. Chaffee has more than 30 years in marine sciences, which include 10 in fisheries biology and ecology, over 10 in marine fisheries certification. In addition, Dr. Chaffee has been a lead auditor for assessments and certification in a wide array of fields for more than 18 years, including marine fisheries, marine aquaculture, consumer electronics, electricity production, forestry, building products, and consumer products. Dr. Chaffee has been an assessment team member on a number of MSC assessments including Mexico sardines, Baja lobster, Russian salmon, and British Columbia halibut. In addition, Dr. Chaffee has been a team leader on numerous fisheries assessments and preassessments in a number of countries.

For the Pacific cod fishery, Dr. Chaffee not only led the assessment review but was an active participant in the review of information and in the scoring of the fishery.

However, SCS felt that Dr. Chaffee was not in need of additional assistance during this annual surveillance visit to review the information for comparison to MSC standards or the conditions set forth in the fishery and determine if the fishery has continued to maintain its compliance with the MSC standard.

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2nd Annual Surveillance

- 1. The certification body provides questions around areas of inquiry to determine if the fishery is maintaining the level of management observed during the original certification. In addition, the surveillance team requires that the client provide evidence that the fishery management system has taken the necessary actions to meet all conditions placed on the fishery during the initial certification assessment or any previous surveillance audits.
- 2. The surveillance/assessment team meets with the client fishery to allow the client to present the information gathered in answer to the questions asked by the surveillance team. The surveillance team can then ask questions about the information provided to ensure its full understanding of how well the fishery management system is functioning and if the fishery management system is continuing to meet the MSC standards.
- 3. The certification body seeks stakeholder input. This includes posting notices, making phone calls, and sending emails to determine if any stakeholders (loosely defined as any person or organization that is not part of the client) have comments they wish to provide.
- 4. The surveillance team presents its findings to the client fishery at the end of the site visit. The results outline the assessment team's understanding of the information presented and its conclusion regarding the fishery management system's continued compliance with MSC standards. Where indicated, the surveillance team may provide the client fishery with additional time to supplement the information provided if the surveillance team finds that there are still issues requiring clarification.
- 5. Where appropriate, the client fishery submits final information to the surveillance/assessment team for consideration in the surveillance findings and report. The surveillance team then reviews the final information and submits a final report to the client fishery and the MSC for posting on the MSC website. If there are continued compliance concerns, these are presented as non-conformances that require further action and audits as specified in the surveillance report.

Surveillance Meetings

The surveillance audit for 2008 comprised three parts:

1. An exchange of information indicating to the client the areas of inquiry by SCS for the surveillance audit. SCS provided a list of questions to the client.

2. A meeting with the client, by Teleconference, at the end of March 2008. This meeting was to discuss the questions put forth by SCS. Several other exchanges of emails and

phone calls also ensued to complete the exchange of documentation for the fishery surveillance audit.

3. A review of ongoing activities associated with the "Conditions" placed on the fishery by the original assessment was conducted.

Attendance at the meeting included Dr. Chet Chaffee, and for Bering Select Mr. Paul Gilliland, President, and Kathy Lee, Vice President of Sales. The Bering Select attendees provided SCS with answers to its questions and all related documents from the government regarding the current status of the fishery management system.

Stakeholder input was solicited through postings to the MSC web site, posting to the Marine Fish Conservation Network email listserver (listserver that sends messages to a wide variety and numerous conservation organizations), direct emails to known stakeholders in the Pacific Northwest, and through phone calls to selected individuals known to have some interest in North Pacific marine fisheries. On top of all of these efforts, the MSC sends out an email notice to all known stakeholders in its database, which include all past stakeholders as well as many other individuals and organizations that have contacted the MSC over the past years. Even after all of these activities were completed, no stakeholder in the conservation sector, the management sector, or the fishing sector placed a call to SCS or sent an email or a letter to SCS. In fact, no comments were received other than from the MSC.

Results

Data Submitted to Assessment Team

In answer to the questions posed by SCS to Bering Select, documents were compiled and submitted to SCS that provided answers to each question. In addition, the client indicated in its document what original performance indicators pertained to each question to show how the surveillance coincides with the original assessment report.

1. Stock Status

The first two questions raised by SCS in the surveillance audit are whether the monitoring and assessment to determine the status of the stocks are still being conducted consistent to what was provided to the assessment team in the original assessment, and whether the status of the stock was still consistent with pre-determined reference points.

The indicators in the original assessment that cover monitoring were 1.1.1.5, 1.1.1.6, 1.1.2.1, and 1.1.2.2. The performance indicators associated with understanding the status of the stock were 1.1.4.1, 1.1.4.2, 1.1.5.1, 1.1.5.2.1, 1.1.5.3, and 1.1.5.4.

The NMFS is conducting the same work as in previous years to provide data for the assessment of the Pacific cod stocks, with no significant change in data collection and analysis. As always, NMFS publishes the SAFE Report (Stock Assessment and Fishery Evaluation Report) detailing the work that has been conducted to collect appropriate data

on the stocks, the types of analyses conducted on determining the status of the stocks, and the recommendations for management on the amount of catch that is biologically sustainable. For a complete review of the NMFS work see http://www.afsc.noaa.gov/REFM/docs/2007/BSAIpcod.pdf.

Specifically, the indicators about data collections where the answers to the questions are the same as in previous years, and therefore a substantiation of the original scores, are:

- 1.1.1.5 Information is collected on abundance/density of the stock.
- 1.1.1.6 Age and size data of the catch is measured.
- 1.1.2.1 Fishery related mortality is recorded/estimated.
- 1.1.2.2 Fishing effort is recorded.

The SAFE report also points out that the harvest strategy is in place and that appropriate harvest levels (TACs) are being set based on the Allowable Biological Catch (ABC) agreed through the assessment using various model scenarios. Specifically, the indicators where SCS notes the original scores have not changed are:

- 1.1.4.1 There is a harvest strategy in place.
- 1.1.4.2 There are clear, tested decision rules.
- 1.1.5.1 There are robust assessment models used to assess the stock.
- 1.1.5.2 Stock assessments take into account uncertainty.
- 1.1.5.3 Uncertainties and assumptions are reflected in management advice.
- 1.1.5.4 The assessment evaluates current stock status against reference points.
- 1.1.5.5 The assessment models are used to evaluate the consequences of different harvest strategies.
- 1.1.6.1 The stock is at or above appropriate reference levels.
- 1.1.6.2 Fishing mortality rate is below the appropriate LRP.
- 3.1.1.2 The management system incorporates and applies and adaptive and precautionary exploited stock strategy.

As in all annual SAFE Reports, the December 2007 SAFE Report provides all the information on reference points, stock status, and harvest strategies. Summarizing the findings of the report, it can be said that the Pacific cod Reference Points are set according to rules for Tier 3b of Amendment 56. For clarity sake, and at the request of the MSC, SCS has provided a direct quote from the 2007 SAFE report below:

"Amendment 56 Reference Points

Amendment 56 to the BSAI Groundfish Fishery Management Plan (FMP) defines the "overfishing level" (OFL), the fishing mortality rate used to set OFL (*FOFL*), the maximum permissible ABC, and the fishing mortality rate used to set the maximum permissible ABC. The fishing mortality rate used to set ABC (*FABC*) may be less than this maximum permissible level, but not greater. Because reliable estimates of reference points related to maximum sustainable yield (MSY) are currently not available [for Pacific cod] but reliable estimates of reference points related to spawning per recruit are available, Pacific cod in the BSAI are managed under <u>Tier 3 of Amendment 56</u>. Tier 3

uses the following reference points: $B_{40\%}$, equal to 40% of the equilibrium spawning biomass that would be obtained in the absence of fishing; $F_{35\%}$, equal to the fishing mortality rate that reduces the equilibrium level of spawning per recruit to 35% of the level that would be obtained in the absence of fishing; and $F_{40\%}$, equal to the fishing mortality rate that reduces the equilibrium level of spawning per recruit to 40% of the level that would be obtained in the absence of fishing. The following formulae apply under Tier 3:

3a)Stock status: B/B40% > 1 $FOFL = F_{35\%}$ $FABC < F_{40\%}$ 3b)Stock status: $0.05 < B/B_{40\%} < 1$ FOFL = F35% H $(B/B_{40\%} - 0.05) \times 1/0.95$ $FABC < F_{40\%}$ H $(B/B_{40\%} - 0.05) \times 1/0.95$ 3c)Stock status: $B/B_{40\%} < 0.05$ FOFL = 0FABC = 0

Other useful biomass reference points which can be calculated using this assumption are $B_{100\%}$ and $B_{35\%}$, defined analogously to $B_{40\%}$. These reference points are estimated as follows, based on Model 1:

Reference point:	$B_{35\%}$	$B_{40\%}$	$B_{100\%}$
BSAI:	473,000 t	540,000 t	1,350,000 t
EBS:	397,000 t	454,000 t	1,130,000 t

For a stock exploited by multiple gear types, estimation of $F_{35\%}$ and $F_{40\%}$ requires an assumption regarding the apportionment of fishing mortality among those gear types. For this assessment, the apportionment was based on Model 1's estimates of fishing mortality by gear for the five most recent complete years of data (2001-2006). The average fishing mortality rates for those years implied that total fishing mortality was divided among the three main gear types according to the following percentages: trawl 28.1%, longline 60.7%, and pot 0.112%. This apportionment results in estimates of $F_{35\%}$ and $F_{40\%}$ equal to 0.37 and 0.31, respectively."

This information is used in the stock assessment in the following way:

"Harvest Scenarios #6 and #7 are intended to permit determination of the status of a stock with respect to its minimum stock size threshold (MSST). Any stock that is below its MSST is defined to be *overfished*. Any stock that is expected to fall below its MSST in the next two years is defined to be *approaching* an overfished condition. Harvest Scenarios #6 and #7 are used in these determinations as follows:

Is the stock overfished? This depends on the stock's estimated spawning biomass in 2008:

- [6]a. If spawning biomass for 2008 is estimated to be below $\frac{1}{2} B_{35\%}$ [236,000 t] the stock is below its MSST.
- [6]b. If spawning biomass for 2008 [396,000 t] is estimated to be above $B_{35\%}$ [472,000 t], the stock is above its MSST.

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Pacific Cod Freezer Longline Fishery Annual Surveillance 2008 [6]c. If spawning biomass for 2008 is estimated to be above $\frac{1}{2} B_{35\%}$ but below $B_{35\%}$, the stock's status relative to MSST is determined by referring to harvest Scenario #6 (Table 2.30). If the mean spawning biomass for 2018 [512,000 t] is below $B_{35\%}$, the stock is below its MSST. Otherwise, the stock is above its MSST.

Is the stock approaching an overfished condition? This is determined by referring to harvest Scenario #7 (Table 2.31):

- [7]a. If the mean spawning biomass for 2010 [453,000 t] is below $\frac{1}{2} B_{35\%}$, the stock is approaching an overfished condition.
- [7]b. If the mean spawning biomass for 2010 is above $B_{35\%}$, the stock is not approaching an overfished condition.
- [7]c. If the mean spawning biomass for 2010 is above ½ *B*35% but below *B*35%, the determination depends on the mean spawning biomass for 2020. If the mean spawning biomass for 2020 is below *B*35%, the stock is approaching an overfished condition. Otherwise, the stock is not approaching an overfished condition."

The 2007 SAFE Report provides a summary of the stock assessment against the reference points (shown below as summarized in Table 2.38 of the SAFE Report). The major conclusions show that the P. cod stock is not overfished - Scenario 6c (see above) shows that the man spawning biomass at 2018 [512,000 t] is above $B_{35\%}$, and not approaching overfishing - Scenario 7c (see above) shows that the mean spawning biomass for 2020 [514,000 t] is above $B_{35\%}$. In fact, the estimated biomass for 2008 [396,000 t] is better than expected when the original assessment was completed, showing that the harvest control rules are working to rebuild the stock.

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Tier	3b	
Reference mortality rates		
M	0.34	
F40%	0.31	
F35%	0.37	
Equilibrium spawning biomass		
<i>B35%</i>	472,000 t	
<i>B40%</i>	540,000 t	
<i>B100%</i>	1,350,000 t	
Projected biomass for 2008		
Spawning (at max FABC)	398,000 t	
Age 3+	1,080,000 t	
ABC for 2008		
FABC (maximum permissible)	0.22	
FABC (recommended)	0.22	
ABC (maximum permissible)	150,000 t	
ABC (recommended)	150,000 t	

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Table Copied from NMFS SAFE Report December 2007 (Table 2.38). Summary of the major results for the stock assessment of Pacific cod in the BSAI region.

Overfishing level for 2008	
Fishing Mortality	0.26
Catch	176,000 t

Although the NMFS report shows that the stock relative to reference points is within acceptable limits, there have been some concerns about the long term sustainability of the stock since stock abundance has declined over recent years and recruitment through 2004 was on a downward trend. The 2007 report however provides some optimism in that recruitment for 2006 was one of the strongest recruitments on record, suggesting that the biomass estimates for the future may now show some improvement over past years. The authors however warn readers to be cautious in their optimism as it will take a couple of years before there is confirmation that the 2006 recruits have entered the fishery in the large abundances estimated.

2. Ecosystem Impacts from Fishing

SCS asked for evidence that the fishery management system is still functioning to keep ecosystem based impacts from fishing at acceptable levels. In addition, SCS asked for an update on the progress being mad to incorporate ecosystem considerations into the stock assessment for Pacific Cod.

The indicators in the original assessment that cover ecosystem impacts were 2.1.4.1 and 2.1.4.2. The indicators that relate to bycatch were 2.1.2.1, 2.1.2.3, 2.1.4.1, 2.1.4.2, 2.1.5.3, and 2.2.1.3.

With regard to the performance indicators on ecosystem effects of fishing, the Pacific cod fishery continues to improve its analyses on ecosystem structure and function as well as on the effects of fishing on these parameters. In addition, the North Pacific Council has improved its activities with regard to management of the ecosystem where fisheries occur. The NPFMC reconstituted nits Ecosystem Committee, which now meets at least once a year to discuss current management needs and arrangements. In addition, the Council has implemented an Aleutian Islands Ecosystem Committee, and is working on an AI Fishery Ecosystem Plan to help guide ecosystem management of the Aleutian Islands. The NPFMC has also signed a Memorandum of Understanding (MOU) with 10 federal and 4 state agencies to create the Alaska Marine Ecosystem Forum (AMEF) which seeks to improve coordination on ecosystem issues across all Alaska waters in the marine environment.

3. Management and Regulation

SCS asked for evidence that the fishery management system is still functioning at the same levels that it was during the initial certification. SCS also asked about any pending litigation, changes to the harvest strategy, and changes in enforcement.

The indicators in the original assessment that cover these issues were 3.1.1.1, 3.1.1.2, 3.1.2.2, 3.2.2.1, 3.2.2.7, 3.2.4.1, and 3.2.5.1.

The information presented to SCS provides satisfactory evidence that the same level of functionality, or greater, is still occurring with regard to the structure and function of the management system:

- The fishery is still managed under the same council system as when certified. There have been no substantive changes in the structure or function of the management system.
- There are no pending litigations pertinent to the fishery.
- Monitoring and enforcement in the fishery remain the same. Quotas are in effect and the fishery remains in compliance.

Progress on Conditions for Continued Certification

In addition to the random audit of the management system, SCS checked on the progress toward completing the Action Plan for meeting the Conditions for Continued Certification as stated in the original assessment Report.

2.1.3.2 Any gear lost during fishing operations is documented. There is adequate knowledge of gear losses and their impacts on the ecosystem.

<u>Condition</u> - Institute a monitoring program for gear lost (including lines and hooks discarded in offal) in the longline fishery and a study to assess the impacts of such gear loss on the receiving ecosystem, particularly its effects on benthos. If the results of these studies suggest that particular fishing areas are creating significant and unacceptable impacts on sensitive benthos, identify ways of reducing gear loss and implement a program to monitor improving performance in this aspect of operations.

	Action	Plan	Timeline
Step	Monitoring and	To identify all programs	To be completed and
1	research programs on	collecting data on gear	made available to the
	gear loss in the freezer	loss. This will include	assessment team within
	longline fishery for	identifying written	12 months of the date
	Pacific cod.	reports and raw data if it	of certification.
		has not been analyzed	
		and summarized. Some	
		information on gear loss	
		may not be available due	
		to the proprietary nature	
		of the information as it is	
		contained in confidential	

		logbooks.	
Step 2	Results of gear loss monitoring and research in the freezer longline fishery for pacific cod.	Identify timelines for any ongoing studies or planned studies on gear loss in the freezer longline fishery for Pacific cod.	To be completed and made available to the assessment team within 12 months of the date of certification.
Step 3	Monitoring Gear Loss At Sea	If no monitoring program exists, or if no analysis has been completed on collected data from a monitoring program, either implement a monitoring program or implement the analysis of existing data and report the findings of the analysis.	To be implemented within 24 months of the date of certification. Results of implementing monitoring programs or of conducting analyses will be made available with 24 months of the date of certification.
Step 4	If the results of studies suggest that particular fishing areas are creating significant and unacceptable impacts on sensitive benthos, identify ways of reducing gear loss and implement a program to monitor improving performance in this aspect of operations.	As necessary, work with NMFS and the freezer longline fleet to identify and implement strategies to reduce gear loss in areas identified as having unacceptable and significant impacts.	If this steps becomes necessary, it will be implemented within one year of the date when findings show the significant and unacceptable level of impacts.

Step 1 – Closed in 2007

Step 2 – Closed in 2007

According to the Action Plan agreed by the client, by the second annual surveillance audit the client is to provide evidence that a monitoring program will be implemented or an analysis of existing data will be implemented and completed. The client has verified that there is no existing monitoring program other than logbook entries by vessels, and that there is no specific analysis of the logbook data, nor one planned. As a result, the client has completed an analysis of data from vessels they have access too. In addition, the client has made a commitment to hire an independent researcher to access and analyze existing data from the fleet in total. The gear loss information provided to date is:

2 Vessels 9.5mm x 270m Fiskevegen gear swivel line 225 hooks/skate

1 Vessel	9.2mm x 270 m Mustad gear	245 hooks/skate
1 vessel	9mm x 270 m Rena gear	225 hooks/skate
3 vessels	11.5mm x 280 m Mustad gear swivel line	225 hooks/skate
1 vessel	Macro auto-baiter gear	225 hooks/skate

In 2006, no gear loss reported.

In 2007, only one vessel reported lost gear due to ice. The gear lost was minimal with a loss of 24 skates at 225 hooks, for a total of 5400 hooks.

If this is representative of the fleet, it is unlikely that gear loss is an issue in the freezer longline fleet. Confirmation of these preliminary results will be forthcoming when the industry hires an independent researcher to provide an analysis of the entire fleet.

Step 3 - Partially met, and SCS judges the progress as adequate to meet the intent of the Condition. However, the lack of an analysis by the end of the second year of certification requires that SCS issue a minor non-conformance on this Condition.

Status – Minor Non-Conformance

Provide SCS with proof of hiring an independent researcher to analyze gear loss in the sector within 6 months of this report. Also, provide SCS with results of the independent analysis within 2 months of the completion of A Season in 2010. While the extension of this timeline is not in compliance with the original condition, SCS recognizes and agrees the need for extending the timeline to allow for hiring a researcher, getting access to NMFS data, and completing the required analysis. Due to the fact that the preliminary results show little if any gear loss, SCS finds it acceptable to extend the time line for reporting on this Condition.

Indicator 2.1.4.1 Levels of acceptable impact are determined and reviewed.

<u>Condition -</u> Acceptable levels of catch are not currently calculated for some key species, of which the most important is Northern fulmars. Assessments of the status of this species should be extended to specifically identify acceptable by catch levels and confirm that current by catch levels are within these acceptable limits.

	Action	Plan	Timeline
Step	Monitoring and	Identify all programs	To be delivered to the
1	research programs on	collecting data on	assessment team within 12
	bird bycatch levels in	Northern Fulmar bycatch	months of the date of
	the freezer longline	from fishing in the	certification.
	fishery for Pacific	Bering Sea.	
	cod.	_	
Step	Results of bird	Identify timelines for	To be delivered to the

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Status – Minor Non-Conformance

2	bycatch monitoring and research in the freezer longline fishery for pacific cod.	completion of studies on Northern Fulmar seabird bycatch within the freezer longline fishery for Pacific cod.	assessment team within 12 months of the date of certification.
Step 3	Results of research on Northern Fulmar bycatch in the freezer longline fishery for Pacific cod.	Provide the assessment team with results from completed studies on Northern Fulmar seabird bycatch in the freezer longline fishery for Pacific cod.	To be delivered to the assessment team immediately upon availability.
Step 4	Identifying acceptable levels of bycatch of Northern Fulmars in the freezer longline fishery for Pacific cod.	Identify and report on what are the acceptable levels of bycatch of Northern Fulmars in the freezer longline fishery for Pacific cod.	To be completed and reported to the assessment team within 12 months of the completion of the research studies identified above.
Step 5	Reporting to the Assessment Team	Provide written progress reports to the assessment team outlining the status of Northern Fulmar seabird bycatch research in the freezer longline fishery for Pacific cod.	Every 12 months from the date of initial certification.

Step 1 – Closed out during first annual surveillance.

Audit Results - Step 1 of this condition is closed out as the client has provided the required information.

Step 2_ Minor Non-Conformance

To date, the client has provided the revised studies showing bird bycatch by fishery (2005, 2006) and obtained an estimate of the 2007 bycatch of seabirds (the 2007 estimate is not extrapolated to the entire fishery as are the numbers for 2005/2006 (see Tables below); therefore, the numbers for 2007 are not directly comparable (numbers will be able to be confirmed by NMFS later in 2008). Still missing from the client submission is an update on whether studies on Northern Fulmar will be conducted and completed by Scott Hatch (USGS) to determine levels of bycatch associated with specific colonies of Northern Fulmar to determine whether the bycatch of fulmars poses any risk to fulmar populations. As provided by the client in previous discussions, the overall take of

fulmars is minor compared to the overall population, but the segregation of populations is a complicating factor in terms of bycatch effects.

To resolve the non-conformance, the client needs to check and see if the studies on Northern fulmars are still in progress, and if so, when they are schedule to be completed.

Bird Bycatch in Pacific Cod Longline				
Fishery (2005/2006)				
Species/Group	Pacific	Pacific		
	Cod	Cod		
	(2005)	(2006)		
Short-tailed	0	0		
Albatross				
Laysan	32	25		
Albatross				
Black-footed	5	5		
Albatross				
Unidentified	0	0		
Albatross				
Northern	2491	1044		
Fulmar				
Shearwater	453	424		
Species				
Unidentified	0	0		
Procellarids				
Gull Species	2341	1808		
Alcid Species	16	6		
Other Species	9	5		
Unidentified	314	279		
Seabirds				
Total	5660	3596		

2007 Bird	Total Hooks	Birds (ext to	Birds/1000
Bycatch		sat)	hooks
BCOD A	40,119,035	229	0.006
BCOD B	51,779,867	2400	0.046
CDQ	21,012,083	961	0.046
GCOD	4,118,347	31	0.008
GTRB	4,419,725	158	0.036
BSAB	2,903,791	44	0.015
GSAB	4,030,895	235	0.058
Total	128,383,743	4058	0.032

2007 Albatross Bycatch

Date	Species	OBS NUM	Fishery
3/14	Laysan Albatross	1	BSAB
3/25	Laysan Albatross	1	CDQ1
4/9	Black-footed	1	GSAB
	Albatross		
4/18	Albatross	1	GSAB
	Unidentified		
6/7	Laysan Albatross	1	GSAB
6/30	Laysan Albatross	1	GSAB
7/25	Black-footed	1	GSAB
9/27	Black-footed	1	BCOD B
	Albatross		
	Total Albatross	8	

Step 3 – Minor Non-Conformance

The fact that the client provided revised reports for 2005/2006 and data on 2007 partially fulfills this step of the Action Plan.

To remedy the non-conformance, the client needs to take the same actions as noted above and determine if the studies previously identified as looking at bycatch and its contribution to fulmar population status have been completed, or if they were halted due to lack of funding or some other external factor. If the studies are completed, the client needs to report the values to SCS.

Step 4 –Acceptable progress is being made. Once the non-conformances are settled, this step of the Action Plan will be easily completed.

Step 5 – Acceptable Progress.

Indicator 2.1.5.4 Fishery impacts on habitat structure are known.

Condition - Same 2.1.3.2

Audit Result – see above.

Indicator 3.3.1.1 The management system provides for internal program evaluation and review. [*Relates to MSC Criterion 3.3*]

<u>Condition</u> - To improve the deficiencies in performance for this indicator, the fishery must demonstrate the existence of a periodic, candid and authoritative internal review process for fishery management procedures and outcomes The client can fulfill this condition by working cooperatively with other North Pacific fisheries that have been

certified under the MSC program or are under going MSC Certification and are working with NMFS to address this condition.

Action	Item	Action	Timeline
Step 1	Identify work in progress	 A. Given the fact that this condition is already in place for the Bering Sea and Gulf of Alaska pollock fisheries, the client will identify all work to date on this issue by the At Sea Processors Association and/or NMFS. B. Client will provide evidence of its involvement in assisting APA in achieving this condition. 	To be reported within 6 months of the date of certification.
Step 2	Report on work in progress	Client to provide a written report to the assessment team on actual progress or implementation to affect a rigorous and robust periodic, candid and authoritative internal review process for fishery management procedures and outcomes.	To be completed within 12 months of the date of certification.
Step 3	Implement additional work as necessary	Should there be no progress on this by other fisheries certified under the MSC, the client(s) for the Pacific cod fisheries will organize meetings with NMFS to discuss this issue and determine what progress can be made.	Within 24 months of the date of certification.

Step 1 – Completed and closed out.

Step 2 – Completed and closed out.

The existing minor non-conformance is closed out as the client has submitted to SCS evidence of two kinds: a) evidence that the client has been working with APA in terms of gathering information and speaking with NMFS about the Condition; b) evidence that APA has completed its work on this Condition and been relieved of the Condition by Moody Marine during the surveillance of the BSAI pollock fishery.

Step 3 - Completed and closed out

This step of the Condition is no longer valid as the Condition has been closed out during step 2.

According to the Certification Body (CB), Moody Marine Ltd., the Condition requiring that a complete and thorough internal review process be in place is now closed out for the BSAI pollock fishery. The statement in the BSAI Pollock Surveillance Report by Moody Marine is:

"Conclusion of Moody Marine Surveillance Report 1 on BSAI Pollock

An extensive scientific review process is in place, conducted through both internal and external means. The existing review process constitutes the "periodic, candid and authoritative internal review process for pollock fishery management procedures and outcomes" required by the condition. The requirement of this condition has been met and the Condition closed."

SCS is concerned that no specific evidence was presented by Moody Marine to counter the Condition originally placed on the fishery by the assessment team during the initial assessment. However, it is not plausible to have one North Pacific fishery be in contradiction to another when it regards issues that are exactly the same for the fisheries. As the MSC has accepted the findings of Moody Marine as it regards the management of North Pacific fisheries in the United States, SCS feels compelled to close out this Condition for the Pacific cod freezer longline fishery as well.

Summary

SCS finds that the Pacific cod fishery management system is still in general compliance with the MSC standard. However, 2 minor non-conformances were identified in terms of fully meeting the Conditions put in place as a result of the original assessment.

SCS finds that the certificate for the Pacific cod fishery should be maintained, with the proviso that the minor non-conformances are addressed in the time frame identified.